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APPENDIX B TO PART 30—REQUIRED PRE-DEPARTURE DATA ELEMENTS FOR FILING OPTION 3

APPENDIX C TO PART 30—ELECTRONIC (AES) FILING CODES

AUTHORITY: 5 U.S.C. 301; 13 U.S.C. 301-307; Reorganization Plan No. 5 of 1950 (3 CFR 1949-1953 Comp., p. 1004), Department of Commerce Organization Order No. 35-2A, August 4, 1975, 40 FR 42765.

SOURCE: 41 FR 9134, Mar. 3, 1976, unless otherwise noted.

NOTE: The term "Customs Director" or "District Director of Customs" as used in this part 30 means the Regional Commissioner of Customs if the transaction is at the port of New York City; the district director of customs if at the headquarters port of a customs district other than New York City; and the customs officer in charge of the port if at a nonheadquarters port.

Subpart A—General Requirements—Exporters

§ 30.1 General statement of requirement for Shipper's Export Declarations.

(a) Shipper's Export Declarations shall be filed by exporters or their agents in accordance with the definitions, specifications, and requirements of these regulations for all commodities, gold and silver, except as specifically exempted herein, shipped as follows:

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(1) To foreign countries or areas, including Foreign Trade Zones located therein, (see § 30.58 for exemptions for shipments from the United States to Canada) from any of the following:

- (i) The United States, including the 50 States and the District of Columbia.
- (ii) Puerto Rico.
- (iii) Foreign Trade Zones in the United States or Puerto Rico.
- (iv) The Virgin Islands of the United States.

(2) Between nonforeign areas as specified below then:¹

- (i) To Puerto Rico from the United States.
- (ii) To the United States from Puerto Rico.
- (iii) To the Virgin Islands of the United States from the United States or Puerto Rico.

(b) Shipper's Export Declarations shall be filed for merchandise moving as described above regardless of the method of transportation. Instructions for the filing of Shipper's Export Declarations for vessels, aircraft, railway cars, etc., when sold foreign appear in § 30.33. Exemptions from these requirements and exceptions to some of the provisions of these regulations for particular types of transactions will be found in subparts C and D of this part.

(c) In lieu of filing paper Shipper's Export Declarations as provided elsewhere in this section, exporters or their authorized agents have the option to file shipper's export information electronically, as provided in subpart E of this part. The Electronic filing requirements for filing shipper's export declaration information are contained in subpart E of this part, Electronic Filing Requirements-Shipper's Export Information.

(d) *Electronic transmissions and intangible transfers.* Electronic transmissions to be received outside the United States and other intangible transfers, such as downloaded software, technical data, and technology, are not subject

¹Shipper's Export Declarations are not required for shipments from the United States or Puerto Rico to the United States Possessions, except to the Virgin Islands of the United States, or from a U.S. Possession destined to the United States, Puerto Rico, or another U.S. Possession.

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to this part, but may be subject to export control requirements under other laws and regulations. See 15 CFR parts 730 through 774 of the EAR.

[41 FR 9134, Mar. 3, 1976, as amended at 41 FR 29374, July 16, 1976; 41 FR 42645, Sept. 28, 1976; 50 FR 13017, Apr. 2, 1985; 55 FR 49615, Nov. 30, 1990; 64 FR 40976, July 28, 1999; 65 FR 42561, July 10, 2000]

§ 30.2 Related export control requirements.

(a) Under the provisions of the Export Administration Regulations of the Office of Export Administration in the International Trade Administration, U.S. Department of Commerce (15 CFR Parts 368-399),² Shipper's Export Declarations are also required for shipments of Merchandise from U.S. Possessions to foreign countries or areas. In these regulations, the term U.S. Possessions includes the Virgin Islands of the United States, Guam Island, American Samoa, Wake Island, Midway Island, and Canton and Enderbury Islands.

(b) For all shipments to foreign countries or areas, the Shipper's Export Declaration is an export control document. In preparing and filing export declarations for shipments to foreign countries and areas, therefore, the shipper must comply with all pertinent export control regulations as well as the requirements of the statistical regulations of this part. For convenience, a few provisions of the Export Administration Regulations and of the Customs regulations closely related to statistical requirements have been incorporated in these regulations. Information concerning export control regulations and information concerning agencies other than the Department of Commerce exercising export control authority for particular types of commodities may be obtained from the Office of Export Administration, International Trade Administration, Wash-

ington, D.C. 20230, or from Department of Commerce District Offices.

(13 U.S.C. 302; 5 U.S.C. 301; Reorganization Plan No. 5 of 1950, Department of Commerce Order No. 35-2A, August 4, 1975, 40 FR 42765)

[41 FR 9134, Mar. 3, 1976, as amended at 47 FR 7213, Feb. 18, 1982]

§ 30.3 Shipper's Export Declaration forms.

(a) Official forms, or privately printed forms conforming in every respect to the official forms, shall be used in complying with requirements for Shipper's Export Declarations as follows:

(1) Except for shipments for which the Shipper's Export Declaration for In transit Goods (Commerce Form 7513) is required as specified below, the Shipper's Export Declaration shall be prepared on Commerce Form 7525-V or on Commerce Form 7525-V-Alternate (Intermodal). The arrangement of Form 7525-V-Alternate (Intermodal) conforms to and is designed for simultaneous preparation with various other shipping documents commonly used, such as the dock receipt, short form bill of lading, etc. Form 7525-V-Alternate (Intermodal) is acceptable in lieu of Form 7525-V without limitation.

(2) For merchandise shipped in transit through the United States, Puerto Rico, or the Virgin Islands of the United States from one foreign country or area to another, including such merchandise destined from one foreign place to another and transshipped in ports of the United States, Puerto Rico, or the Virgin Islands of the United States, and for foreign merchandise exported from General Order Warehouses, the Shipper's Export Declaration for Intransit Goods (Commerce Form 7513) shall be filed. Form 7513 shall also be filed for merchandise subject to government inspection, examination, or permit arriving from a foreign country which is rejected and exported. (Although Form 7513 provides that it is to be used for foreign merchandise, it should be used also for U.S. merchandise which after having been exported has been returned to or through the United States and is again being exported under any of the conditions described in this paragraph. Except for rejected merchandise, Form

²See also the Export Administration Regulations of the Office of Export Administration, which may be purchased from the Government Printing Office or Department of Commerce District Offices.